

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ROBERT LOPEZ,

Plaintiff,

v.

9:05-CV-1568

LESTER N. WRIGHT, Chief Medical Officer,  
DOCTOR RAMINENI, Doctor at Mid-State  
Correctional Facility; and GLENN S. GOORD,  
Commissioner of N.Y.S. D.O.C.S.,

Defendants.

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APPEARANCES:

OF COUNSEL:

ROBERT LOPEZ, 03-A-1561  
Plaintiff, Pro Se  
Mid-State Correctional Facility  
P.O. Box 2500  
Marcy, New York 13403

HON. ANDREW M. CUOMO  
Attorney General of the State of New York  
Counsel for Defendants  
615 Erie Boulevard West, Suite 102  
Syracuse, New York 13204-2455

MARIA MORAN, ESQ.  
Assistant Attorney General

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 10<sup>th</sup> day of January, 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's

Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.
2. The Defendants' motion to dismiss (Dkt. No. 7) is granted, and the Plaintiff's complaint is dismissed without prejudice.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: January 31, 2007  
Syracuse, New York

  
Norman A. Mordue  
Chief United States District Court Judge